IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1299 OF 2005
IN
APPEAL FROM ORDER ST.NO.26731 OF 2005

Sou.Vimalabai Digambar Junnare & Ors. ..Applicants.

V/s.

Sou.Rohini R. Patil & Ors. ..Respondents.

Mr.P.N.Joshi for applicants.

Mr.Rupesh Bobde for respondent Nos. 1 to 4.

CORAM: A.M.KHANWILKAR,J

DATE : APRIL 12, 2006.

P.C. :

1. Heard counsel for the parties. Perused the application.

2. From the averments in the application, which have remained uncontroverted, it is seen that the order, which is impugned in this appeal was passed on 13th January, 2004. The applicants in the first place proceeded to file Writ Petition before this court on 8th March, 2004, which was eventually withdrawn on 9th October, 2004 with liberty to the applicants to take recourse to the present remedy of appeal from order. Accordingly, present appeal from order came to be filed on 22nd November, 2004

accompanied by the present application. The delay in filing present appeal from order therefore, deserves to be condoned as the applicant would be entitled for the period spent for pursuing remedy of Writ Petition. As sufficient cause has been made out, application is allowed in terms of prayer clause (a).